

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire

KML Law Group, P.C.

216 Haddon Avenue

Suite 406

Westmont, NJ 08108

Main Phone: 609-250-0700

dcarlon@kmlawgroup.com

Attorneys for Secured Creditor

Toyota Motor Credit Corporation



Order Filed on February 6,
2018 by Clerk, U.S. Bankruptcy
Court - District of New Jersey

In Re:

Mark Smith

Debtor.

Case No.: 16-32726 SLM

Adv. No.:

Hearing Date: 11/29/2017 @ 10:30 a.m.

Judge: Stacey L. Meisel

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: February 6, 2018

A handwritten signature in cursive script, reading "Stacey L. Meisel".

Honorable Stacey L. Meisel
United States Bankruptcy Judge

(Page 2)

Debtor: Mark Smith

Case No: 16-32726 SLM

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Toyota Motor Credit Corporation, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property of 2009 TOYOTA RAV2/4 , VIN: JTMBF33V195011525, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Bruce W. Radowitz, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of January 17, 2018, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due March 2017 through January 2018 for a total post-petition default of \$3,598.93, less suspense balance \$358.54 (11 @ \$359.77, less suspense \$358.54); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$3,598.93 will be paid by Debtor remitting \$599.82 per month in addition to the regular monthly payment, which additional payments shall begin on February 1, 2018 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular payments are to resume February 17, 2018 directly to Secured Creditor, Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001, and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Mark Smith
Pamjoi Smith
Debtors

Case No. 16-32726-SLM
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 07, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 09, 2018.

db/jdb +Mark Smith, Pamjoi Smith, 905 Woodland Avenue, Union, NJ 07083-7712

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 09, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 7, 2018 at the address(es) listed below:

Bruce W. Radowitz on behalf of Joint Debtor Pamjoi Smith bradowitz@comcast.net,
r45676@notify.bestcase.com

Bruce W. Radowitz on behalf of Debtor Mark Smith bradowitz@comcast.net,
r45676@notify.bestcase.com

Denise E. Carlon on behalf of Creditor Ditech Financial LLC dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com

Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Jeanette F. Frankenberg on behalf of Creditor SETERUS INC., as servicer for FEDERAL NATIONAL
MORTGAGE ASSOCIATION cmecf@sternlav.com

Jeanette F. Frankenberg on behalf of Creditor Seterus, Inc., as authorized sub-servicer for
Federal National Mortgage Association ('Fannie Mae'), a corporation organized and existing under
the laws of the United States of America cmecf@sternlav.com

Laura M. Egerman on behalf of Creditor Ditech Financial LLC bkyecf@rasflaw.com,
bkyecf@rasflaw.com;legerman@rasnj.com

Marie-Ann Greenberg magecf@magtrustee.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

William M.E. Powers on behalf of Creditor Wells Fargo Bank, N.A. ecf@powerskirn.com

William M.E. Powers, III on behalf of Creditor Wells Fargo Bank, N.A. ecf@powerskirn.com
TOTAL: 11